

ENTERED

March 15, 2017

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ADA J. RIVAS DE RIOS,
Plaintiff,

v.

WAL-MART STORES TEXAS, L.L.C.,
et al.
Defendants.

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Civil Action No. 1:15-cv-217

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the "Magistrate Judge's Report and Recommendation" (Dkt. No. 16) regarding "Defendant's Motion for Summary Judgment and Memorandum in Support Thereof" (Dkt. No. 14). No objections have been filed. After a de novo review of the file, the Magistrate Judge's Report and Recommendation is **ADOPTED**. It is therefore, **ORDERED, ADJUDGED, and DECREED** that Defendant's Motion for Summary Judgment (Dkt. No. 14) is **GRANTED**, in part, and **DENIED**, in part. Defendant's Motion is **DENIED** as to Plaintiff's premises liability claim, but is **GRANTED** as to Plaintiff's alternative liability theory based upon negligent activity.

Signed on this 14th day of March, 2017.



Rolando Olvera
United States District Judge